

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

KATHLEEN LUPTON SIMMONS,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

**JUDGMENT**

No. 7:10-CV-186-FL

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, Chief United States District Judge, for consideration of defendant's motion to remand.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's order entered March 31, 2011, that defendant's motion to remand is granted, and this matter is remanded to the Social Security Administration pursuant to sentence four of 42 U.S.C. § 405(g) and § 1383(c)(3) for further proceedings.

**This Judgment Filed and Entered on April 5, 2011, and Copies To:**

Barbara von Euler (via CM/ECF Notice of Electronic Filing)  
Eskunder R.T. Boyd (via CM/ECF Notice of Electronic Filing)

April 5, 2011

DENNIS P. IAVARONE, CLERK

/s/ Christa N. Baker  
(By) Christa N. Baker, Deputy Clerk